

WASHINGTON COUNTY COMMISSION
MEETING MINUTES
AUGUST 16, 2011

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman Dennis Drake at 4:00 p.m. on August 16, 2011, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman Dennis Drake, Commissioner Alan D. Gardner, Commissioner James J. Eardley, Washington County Administrator Dean J. Cox, Deputy County Attorney Michele Mitchell, and Deputy County Clerk Paula Dwyer.

The Spectrum was not represented at the meeting.

Commissioner Gardner led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for August 3, 2011, through August 16, 2011
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Applications for Property Tax Abatements (14):
Chelley Bullis, S/N W-NWSS-4-84; Gary Gibson, S/N SG-BLH-7A-38; Wallace Eidahl, S/N SG-BLH-8-54; Radaun Gleave, S/N W-LSO-S1; Teddy Hofmeister, S/N SG-RBE-B-2F; Myrna Holmstead, S/N H-HLE-1-31; Joseph Iwanski, S/N W-SIEH-13; Norma Kirk, S/N SG-SCMST-1-12; Milton Miller, S/N W-HMHE-E-61; Kathy Munson, S/N I-SB-74-C; Sylvia Schudde, S/N SG-CNYD-4-42; Ilona Petty, S/N SG-968-A-3; Lynn Williams, S/N SG-RWP-15; Fred Wright, S/N W-SFWB-1-16;
- Consideration of Approval of Predator Control Contract for FY 2012 between the State of Utah, Department of Agriculture and Food, and Washington County

Actions of the Washington County Planning Commission Meeting / 08-09-11

Conditional Use Permit Extension: Review extension for the "Redrock Relay Race" from Brian Head to SR 18 near Enterprise, Veyo, through St. George and other communities, then to SR9, ending at Zion National Park, Saturday,

September 10, 2011, within the County unincorporated areas. Tim Collings, applicant.

This is a review of the second (2nd) extension for the two (2) day event sponsored by Tim Collings/Red Rock Relay to be held on September 9, 2011 ending at Zion National Park on the 10th. This is a 12 man team event that covers 180 miles from Brian Head Resort and finishes at Zion. There may be as many as 250 teams. The route has been changed from Kolob Road to SR 18. The applicant will need an updated liability insurance policy in place, listing Washington County as a beneficiary. The Washington County Sheriff's Office is aware of the event and working with the applicant on schedules. Mr. Collings was present to update the commission on the previous event and said he had approvals from all local communities and agencies except UDOT. The Planning Commission unanimously recommended approval of the Conditional Use Permit for the period of one year and subject to receiving UDOT approval and updated liability insurance policy.

Conditional Use Permit: Request permission to locate a temporary batch plant and job site trailers within the OSC-20 zone, for the expansion of the Red Butte Substation on Forest Service land near Central. Schmidt Construction, applicant.

This item lapsed due to lack of representation at the three previous meetings. The applicant has made a new application for a temporary batch plant on site to facilitate a continuing job for the Forest Service at the Pine Valley Camp Grounds and a future bid going out on the 2nd phase of the Pacific Corp (Rocky Mountain Power) Red Butte Subdivision near Central. As previously reviewed, they may haul gravel to this site from their pit in Iron County or utilize product from the Carl Bowler pit near Veyo if it does not have any clay. The Forest Service provided a new letter stating that because of new contracts and weather related delays in completing the work in Pine Valley, they authorized approval for an additional year at this location. The commission reviewed this use conditionally within the OSC zone as being a use similar to the conditional uses and in harmony with the character and intent of the zone (10-6A-3 County Code). The applicant previously submitted permits from the Air Quality Service and OSHA Certification. The site will have a couple of job site trailers, two porta-potties, and the batch plant outside the perimeter of the substation site. The Planning Commission unanimously recommended approval of the Conditional Use Permit for the period of one year.

Utility Easement Abandonment: Consider the abandonment of a 15' utility easement on Lot 34, Dammeron Valley Meadows, Section 20, T40S, R16W, SLBM, generally located on the south boundary line of Dammeron Valley Meadows. Barbara Hjelle, petitioner.

After closing the public hearing, the planning commission reviewed the location of the easement abandonment and consent forms signed by the different utility companies in

this area who would have need to access this easement. All applicable agencies have signed the consent to eliminate the 15' utility easement on the south property line of Lot 34. The land to the south of this easement is BLM, which is in the Red Mountain Wilderness area. In the past, these types of abandonments have been handled by the County Commission and now they have passed this review to the Planning Commission for public hearing and recommendation, with Commission Consent Agenda approval the following week. Todd Edwards spoke of his inspection of the property indicating no problem with drainage easements and stated there was one pole located on the southwest property line within a twenty-five (25) foot easement, which was not a part of this abandonment.

Facts & Findings:

- All public utility agencies have consented to the abandonment
- The property owners within 500' were notified of the abandonment and there appeared to be no concerns
- Held public hearing; no opposition
- The County Engineer has reviewed and approved the abandonment as there is no use for the easement at this time.

The Planning Commission unanimously recommended approval of the easement abandonment based on facts and findings.

MOTION: Motion by Commissioner Eardley to Approve the Consent Agenda, with the Exception of the Application for Property Tax Abatement, Serial Number SG-BLH-7A-38, which is denied. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

EMERGENCY SERVICES REPORT / SHERIFF'S OFFICE

Emergency Services Director Pete Kuhlmann, representing the Sheriff's Office, reported that in the past few weeks, several Search and Rescue activities resulted in sixty-seven (67) responders with a total of three hundred and seventy (370) man hours donated.

PURCHASE REQUESTS/ Trevor Coombs

Emergency Services, Conspace rescue kits	\$39,650.00
Recorder's Office, miscellaneous copier equipment	\$20,243.50

Emergency Services Director Pete Kuhlmann said that the Conspace rescue kits are used on a regular basis to support search and rescue operations. This is being paid for via a State Homeland Security grant.

All purchases are budgeted, bonded, or paid for through grant funds.

MOTION: Motion by Commissioner Gardner to Approve the Purchase Requests, as presented. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

CONSIDERATION OF ORDINANCE NO. 2011-1012-O, AN ORDINANCE AMENDING AND SUPERSEDING WASHINGTON COUNTY CODE TITLE 1, CHAPTER 5, ADDING SECTION 2

This ordinance describes various rules and procedures on holding meetings when a Commissioner is absent.

MOTION: Motion by Commissioner Eardley to Adopt Ordinance No. 2011-1012-O, An Ordinance Amending And Superseding Washington County Code Title 1, Chapter 5, Adding Section 2. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

CONSIDERATION OF RESOLUTION NO. R-2011-1583, A RESOLUTION APPROVING THE EXECUTION OF A TAX DEFERRAL AGREEMENT BETWEEN WASHINGTON COUNTY AND ROBERT BRENNAN

Chairman Drake said that this agreement with Mr. Brennan has been finalized and is ready for Commission ratification.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2011-1583, A Resolution Approving The Execution Of A Tax Deferral Agreement Between Washington County And Robert Brennan. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

CONSIDERATION OF RESOLUTION NO. R-2011-1584, A RESOLUTION APPOINTING A BOARD MEMBER TO THE NORTHWESTERN SPECIAL SERVICE DISTRICT ADMINISTRATIVE CONTROL BOARD

The vacancy on this Board was published according to statute, and two (2) applications were received.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2011-1584, A Resolution Appointing Daniel C. Tanasz To The Northwestern Special Service District Administrative Control Board. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

CONSIDERATION OF AWARD OF BID FOR TYPE ONE SLURRY SEAL OF THE PARKING LOT AT THE WASHINGTON COUNTY ADMINISTRATION BUILDING AT 197 E. TABERNACLE STREET, ST. GEORGE, UT

Administrator Dean Cox explained that this project was put out to bid, advertised in *The Spectrum* newspaper. Two (2) bids were received, with Holbrook Asphalt being the lower bidder with a bid of twenty-one thousand, nine hundred and seventy-one dollars and fifty-four cents (\$21,971.54). Following the slurry seal, the parking lot will then be re-stripped.

MOTION: Motion by Commissioner Eardley to Award the Bid for Slurry Seal of the Parking Lot at the Washington County Administration Building at 197 E. Tabernacle Street, St. George, Utah, to Holbrook Asphalt Company, for the amount of \$21,971.54. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

COMMISSIONERS' REPORT

No items were presented today.

PUBLIC WORKS OR ROAD BUSINESS

No items were presented today.

COUNTY DEVELOPMENT AND PLANNING BUSINESS

No items were presented today.

Request a Closed Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:17 p.m.

PAULA D. DWYER
DEPUTY CLERK

DENNIS DRAKE
CHAIRMAN